

Appl. No. 09/892,490

REMARKS/ARGUMENTS

The Applicants thank the Examiner for taking the time to discuss this application with the undersigned on December 13, 2007. A Statement of Substance of the Interview is attached in an Appendix.

As discussed during the Interview, each of the independent claims has been amended to include a clarified version of the "eroding" feature, which appeared in former claims 2, 10, and 18. Claims 2, 10, and 18 have therefore been cancelled and claim 21, which depended from claim 10, has also been cancelled.

As acknowledged by the Examiner during the recent Interview, the prior art of record does not disclose a feature of eroding unallocated time in the manner in which that feature is intended. Page 6 of the Final Office Action, for example, indicates that the manner in which this limitation was recited was broad enough that one could interpret a portion of prepaid time as disclosed by Lopez (United States Patent Application Publication No. 2002/0103762) being used to make a call as meeting the limitation. A diligent effort has been made to clarify the limitation in such a manner as to exclude the interpretation put forward in the Final Office Action.

With reference to claim 1, for example, this claim has been amended to add a step of eroding the unallocated time over time, by subtracting additional time from the unallocated time independently of subtracting the lifetime of the assertion from the unallocated time, to thereby prevent the unallocated time from being maintained indefinitely. During the recent telephone Interview, it was proposed to amend the independent claims to recite subtracting additional time or preventing unallocated time from being maintained indefinitely. It was the Examiner's preference to have both proposed amendments incorporated into the independent claims, and accordingly the above amendment to claim 1 recites both subtracting additional time from the unallocated time and preventing the unallocated time from being maintained indefinitely.

Appl. No. 09/892,490

The Applicants wish to further note that claim 1 as amended specifically recites that additional time is subtracted from the unallocated time independently of subtracting the lifetime of the assertion from the unallocated time. It is believed that this excludes an interpretation of the claimed limitation as encompassing use of a portion of prepaid time to make a telephone call as disclosed by Lopez.

All of the other independent claims 3, 7, 11, 14, 15, and 17 have been amended in a similar manner, and thus also recite subtracting or deducting additional time from the unallocated time independently of subtracting or deducting the lifetime of an assertion to thereby prevent the unallocated time from being maintained indefinitely.

Support for these features can be found, for example, in the last paragraph on page 11 of the description.

It is respectfully submitted that all of the independent claims, and accordingly all of the dependent claims, patentably distinguish over Lopez and the references cited in the Final Office Action for at least these reasons. Reconsideration and withdrawal of the claim rejections under 35 U.S.C. 103 are respectfully requested.

It is the Applicants' understanding from the recent telephone interview that the Examiner is willing to give at least initial consideration to the amended independent claims, and in the event that only relatively minor issues remain to place the application into allowable form, the Examiner may be willing to consider entering further amendments in the form of an Examiner's Amendment.

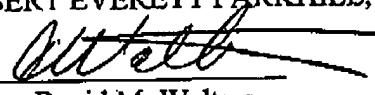
Given the relatively long pendency of the present application, the Applicants sincerely appreciate any efforts made by the Examiner to move the application toward allowance.

Appl. No. 09/892,490

The Examiner is also invited to contact the undersigned by telephone at (613) 232-2486, ext. 240, if he believes that a further discussion may advance the application.

Respectfully submitted,

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By 

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DMW/wbs